

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF ARKANSAS, CENTRAL DIVISION**

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|------------------------|---|----------------------------|
| FRAZIER, <i>et al.</i> | ) |                            |
|                        | ) |                            |
| Plaintiffs,            | ) | Hon. Kristine G. Baker     |
| v.                     | ) |                            |
|                        | ) | Case No. 4:20-cv-434 (KGB) |
|                        | ) |                            |
| GRAVES, <i>et al.</i>  | ) |                            |
|                        | ) |                            |
| Defendants.            | ) |                            |
|                        | ) |                            |
|                        | ) |                            |
|                        | ) |                            |

**Joint Status Report of the Plaintiffs and ADC Defendants**

Plaintiffs Darryl Hussey, Price Brown, Wesley Bray, Torris Richardson, Joseph Head, Lee Owens, Jimmy Little, Roderick Wesley, Marvin Kent, Michael Kouri, Jonathan Neeley, Alfred Nickson, Trinidad Serrato, Robert Stiggers, Victor Williams, and John Doe, on behalf of themselves all others similarly situated (together “Plaintiffs”), and Defendants Solomon Graves, Dexter Payne, Benny Magness, Bobby Glover, Lee Watson, Tyronne Broomfield, John Felts, William (“Dubs”) Byers, and Whitney Gass in their official capacities (collectively, “ADC Defendants”), by undersigned counsel, submit this joint status report on the status of the parties’ settlement negotiations pursuant to the Court’s order dated January 31, 2024. *See* ECF 261.

Since May of 2023, the parties have been engaged in good-faith settlement negotiations. The Plaintiffs shared an initial settlement proposal with the ADC Defendants on May 12, 2023. The Defendants responded with a proposal of their own on June 21, 2023. The parties then attempted to bridge the gap between their competing proposals through a series of exchanges, including two videoconferences between counsel for the Plaintiffs, counsel for the ADC, and



representatives of the ADC. Those conversations did not result in an agreement but did narrow the gap between the parties.

The parties' conversations continued in the Fall of 2023. As part of those conversations, the ADC Defendants requested a draft of a document contemplated by one potential settlement provision on October 6, 2023, and the Plaintiffs drafted the requested document and provided it to the ADC Defendants on October 11, 2023. Plaintiffs then sent a new draft proposal to the ADC Defendants on November 2, 2023. This proposal has been the subject of the parties' negotiations since November.

The parties continued to discuss one of the potential terms in February 2024, with Plaintiffs agreeing to draft for Defendants' review another document contemplated by the agreement. Plaintiffs provided that additional draft document to the ADC Defendants on February 26. On March 25, the ADC Defendants responded to the document that Plaintiffs had sent, acknowledging that most of its contents were acceptable to the ADC Defendants while raising concerns about one portion of the document and posing a pair of additional questions. Plaintiffs responded to the ADC's questions, sought a compromise regarding the one disputed paragraph, and asked the Defendants to confirm whether they are now in agreement on all remaining terms of the proposed settlement. The Plaintiffs are currently awaiting a response from the ADC Defendants.

As of this moment, the parties have made significant progress towards a settlement that would resolve all of the Plaintiffs' claims against the ADC Defendants. The parties, however, have not yet been able to agree on all terms. Because the parties continue to engage in good-faith settlement talks and continue to make progress towards resolving all claims against the ADC



Defendants, the parties respectfully ask this Court to extend its stay of all discovery in this case for an additional 60 days while the parties attempt to finalize their negotiations.

Respectfully submitted,

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